

Attorney's Docket No.: 4704.P001

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Patent ORIGINALLY FILED

In Re the Application of: Faber, et al.

Application No.: 09/414,710

Filed: 10/08/1999

For: SYSTEM FOR PROVIDING SERVICES IN REAL-TIME OVER THE INTERNET

Group Art Unit: 2163

Examiner: Susanna Diaz

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF
PATENT APPEALS AND INTERFERENCES**

COMMISSIONER FOR PATENTS
Washington, D.C. 20231-0001

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated 10/22/2001 of the Examiner rejecting claims 44-46, 48-51, 53-68, 70-88, 90-92, 97, and 104-108.

The items checked below are appropriate:

XXX The following is the Notice of Appeal fee under 37 C.F.R. § 1.17(b):

<u>X</u>	a. other than small entity:	fee \$ 320.00
	b. small entity:	fee \$ 160.00

 verified statement attached
 verified statement was filed

X A petition under 37 C.F.R. § 1.136(a) for an extension of time for reply to the rejection is enclosed along with a check for the fee for the extension of time.

X Enclosed is a check in the amount of \$320.00 for the Notice of Appeal fee.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231-0001 on April 17, 2002.

Judy L. Steinkraus

 Please charge the Notice of Appeal fee to Deposit Account Number 02-2666. A duplicate of this sheet is enclosed for Deposit Account charging purposes.

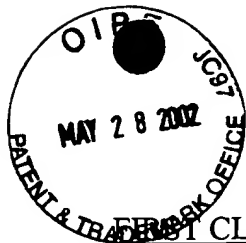
XXX If any additional fee is required, please charge Deposit Account No. 02-2666. A duplicate of this sheet is enclosed for Deposit Account charging purposes.

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date: April 17, 2002

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025
(408) 720-8300

John P. Ward, Reg. No. 40,216



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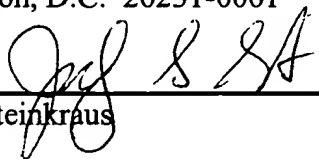
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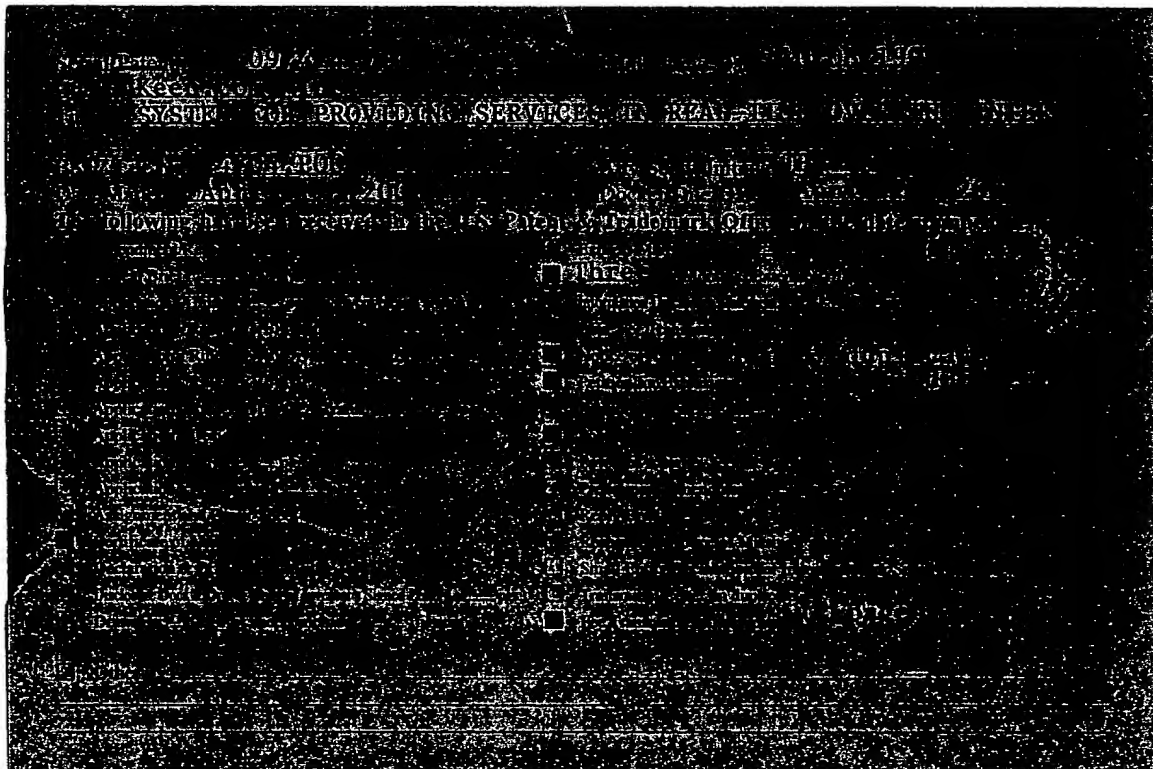
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Commissioner for Patents
Washington, D.C. 20231-0001

on 4/17/02


Judy L. Steinkraus

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GROUP 3600

FEE TRANSMITTAL FOR FY 2002

TOTAL AMOUNT OF PAYMENT \$1,240.00

Complete if Known:

Application No. 09/414,710

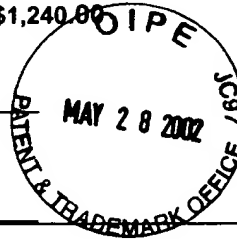
Filing Date 10/08/1999

First Named Inventor Faber, et al.

Group Art Unit 2163

Examiner Name Susanna Diaz

Attorney Docket No. 4704.P001



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METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge deficiencies in fees and credit any over payments to:

Deposit Account Number 2-2666

Deposit Account Name

☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed: ☒ Check
Money Order
Other

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FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
101	740	201	370	Utility application filing fee	
106	330	206	165	Design application filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional application filing fee	

SUBTOTAL (1) \$

GROUP 3600

2. EXTRA CLAIM FEES

		Extra Claims	Fee from below	Fee Paid
Total Claims	- 20** =		X	
Independent Claims	- 3** =		X	
Multiple Dependent				

**Or number previously paid, if greater; For Reissues, see below.

Large Entity		Small Entity		Fee Description
Code	Fee (\$)	Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$

A circular stamp from the OIPE Patent & Trademark Office. The text "OIPE" is at the top, "PATENT & TRADEMARK OFFICE" is around the bottom, and "MAY 28 2002" is in the center.

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GROUP 3600

Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
099	8,800	099	8,800	Request for inter parties reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	920.00
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	320.00
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	For filing a submission after final rejection (see 37 CFR 1.129(a))	
148	110	248	55	Statutory Disclaimer	
149	740	249	370	For each additional invention to be examined (see 37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
195	300	195	300	Publication fee for early, voluntary, or normal pub.	
196	300	196	300	Publication fee for republication	
194	130	194	130	Request for voluntary publication or republication	
098	130	098	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	
091	1,280	091	1,280	Acceptance of unintentionally delayed claim for priority	

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) \$1,240.00

***Reduced by Basic Filing Fee Paid**

SUBMITTED BY:

Typed or Printed Name: John P. Ward

Signature: [Signature] **Date:** April 17, 2002

Req. Number: 40,216 **Telephone Number:** (408) 720-8300 x237